

AMENDMENT AND PRESENTATION OF CLAIMS

Please replace all prior claims in the present application with the following claims, in which claims 15 through 32 are canceled without prejudice or disclaimer, claims 1 through 8, 10 through 14, and 33 through 64 are currently amended, and claims 65 through 89 are newly presented.

1. (Currently Amended) A ~~portioning~~ device for apportioning food, the device being configured to provide, in response to user input, a that can portion of a food based on the having a predetermined number of calories ~~or Centicals of the portion of food.~~

2. (Currently Amended) The device of claim 1, comprising:
a scale for dynamically weighing apportioned food,
 wherein the device is configured to correlate weight of the apportioned food with is converted to calories and to cease apportioning food when a correlated weight substantially corresponds to the predetermined number of calories~~or Centicals.~~

3. (Currently Amended) The device of claim 2, wherein correlation is performed based on one or more instructions stored in a tangible medium~~the conversion is made through the device's internal computer software.~~

4. (Currently Amended) The device of claim 2, wherein the device is configured to access internal or external software including instructions for correlating weight of the apportioned food into calories and causing the device to cease apportioning food when the weight is substantially

equivalent to the predetermined number of calories~~conversion is made through ERP.~~

5. (Currently Amended) The device of claim 1, wherein the device is configured to correlate the predetermined a portion with a pre-determined number of calories into one or more food units of a particular size, each food unit comprising a number of calories equal to a portion of the predetermined number of calories, and to apportion the one or more food units based on a desired number of calories~~can be provided.~~

6. (Currently Amended) The device of claim 1 ~~5~~, wherein the predetermined ~~desired~~ number of calories is selected from the group consisting of about 50, 100, 150, 200, 250, 300, 350, 400, 450, 500, 550, 600, 750, and 1000.

7. (Currently Amended) The device of claim 1, wherein said device is one or more selected from the group consisting of a slicer~~cutting machine, shredder, or and dicer.~~

8. (Currently Amended) The device of claim 5 ~~1~~, wherein the correlation is performed based on one or more instructions stored in a tangible medium~~said device is a fruit or vegetable sorting machine.~~

9. (Original) The device of claim 1, wherein the food is selected from the group consisting of cheese, fruit, vegetables, poultry, meat, fish and bread.

10. (Currently Amended) The device of claim 8, wherein the device is configured to access

internal or external software including instructions for correlating the predetermined ~~A weighing device that can display the number of calories into one or more or Centicals of a food units of a particular size, each food unit comprising a and wherein a) the device provides nutritional information per pre-determined number of calories equal to the predetermined number of calories divided by the total number of food units, and for apportioning the one or more food units based on the desired number of calories or b) can compute the price of the food.~~

11. (Currently Amended) The device of claim 10, wherein one or more instructions are associated with enterprise resource planning (ERP) software~~the weight of the food is converted to calories or Centicals.~~

12. (Currently Amended) The device of claim ~~344~~, wherein the device is a slicer, the one or more food units are slices, and the particular size is characterized by a slice thickness associated with a slice surface area~~conversion is made through the device's internal computer software.~~

13. (Currently Amended) The device of claim ~~444~~, wherein one or more instructions are associated with enterprise resource planning (ERP) software~~the conversion is made through ERP.~~

14. (Currently Amended) The device of claim ~~140~~, wherein the device is a fruit and/or vegetable sorting machine~~price computing scale.~~

15-32. (Canceled)

33. (Currently Amended) A package containing multiple servings of food, the package having an indication thereon of ~~display that provides~~ the approximate number of calories of a ~~serving of~~ the food in the package; and an indication thereon of the approximate number of calories of one of the multiple servings ~~selected amount~~ of the food in the package, wherein the ~~these~~ two approximate numbers are different.

34. (Currently Amended) The package display of claim 33, wherein the total number of calories ~~caloric content of the package~~ is about 20 or more calories greater than the number of calories ~~caloric content~~ of a one serving.

35. (Currently Amended) The package display of claim 33, wherein the total number of calories ~~caloric content of the package~~ is about 50% or more greater ~~calories~~ than the number of calories ~~caloric content~~ of a one serving.

36. (Currently Amended) The package display of claim 33, wherein the indications are ~~which~~ is in the form of a table.

37. (Currently Amended) The package display of claim 33, wherein the indications are ~~which~~ is printed.

38. (Currently Amended) The package display of claim 37, wherein the indications are ~~which~~ is on a label.

39. (Currently Amended) The package display of claim 33, wherein the indications are ~~which~~
~~is~~ in electronic form.

40. (Currently Amended) A plurality of packages of food, wherein each package of food has
an indication thereon of a ~~Two or more displays that provide nutritional information per~~
~~substantially~~ uniform caloric content of 50 calories or multiples thereof.

41. (Currently Amended) The plurality of packages displays of claim 40, wherein each
package of food has an indication thereon of nutritional information per ~~the~~ ~~substantially~~ uniform
caloric content ~~is 50 or 100 calories.~~

42. (Currently Amended) The plurality of packages displays of claim 40, wherein at least two
of the packages contain ~~such foods are~~ different types of foods.

43. (Currently Amended) The plurality of packages displays of claim 40, wherein at least two
of the packages ~~such foods~~ have different weights.

44. (Currently Amended) The plurality of packages displays of claim 40, wherein the
indication is ~~which are~~ in the form of a table.

45. (Currently Amended) The plurality of packages displays of claim 40, wherein the
indication is ~~which are~~ printed.

46. (Currently Amended) The plurality of packages displays of claim 45, wherein the indication is ~~which are~~ on a label.

47. (Currently Amended) The plurality of packages displays of claim 40, wherein the indication is ~~which are~~ in electronic form.

48. (Currently Amended) A method ~~of reporting the nutritional content of a food product~~ comprising:

receiving input corresponding to a food product;

determining caloric content of the food product based on the input;

deriving, based on the caloric content,~~reporting the nutritional content~~ of the food product in

accordance with ~~per~~ a pre-determined ~~approximate~~ number of calories; and

presenting the nutritional content to a consumer in accordance with the pre-determined number of calories ~~or Centicals~~.

49. (Currently Amended) The method of claim 48, comprising utilizing the pre-determined number of calories across a plurality of other food products for deriving nutritional content corresponding to the plurality of ~~wherein said number is substantially uniform number with the number reported for one or more other food products~~ foods.

50. (Currently Amended) The method of claim 49, wherein the pre-determined ~~substantially uniform~~ number of calories is 50 or a multiple thereof ~~100~~.

51. (Currently Amended) The method of claim 48, wherein the number of calories per serving of the food product is not presented to the consumer.

52. (Currently Amended) The method of claim 48, wherein the pre-determined ~~approximate~~ number of calories ~~or Centicals~~ is different from the ~~than the approximate~~ number of calories ~~or Centicals~~ per suggested serving size of the food product or number of calories per weight unit of the food product.

53. (Currently Amended) The method of claim 52, wherein the pre-determined ~~approximate~~ number of calories ~~or Centicals of the food product~~ is 50% or more calories greater than ~~the the~~ ~~approximate~~ number of calories ~~or Centicals~~ per suggested serving size of the food product.

54. (Currently Amended) The method of claim 48, wherein the nutritional content includes ~~of the food product being reported~~ comprises at least one of the following: the weight content, the price, the fat content, the saturated fat content, the unsaturated fat content, the trans fat content, the protein content, the carbohydrate content, or the vitamin and mineral content, or a combination thereof ~~of the product~~.

55. (Currently Amended) The method of claim 48, wherein the pre-determined ~~approximate~~ number of calories is selected from the group consisting of 50, 100, 150, 200, 250, 300, 350, 400, 450, 500, 600, 750, and 1000.

56. (Currently Amended) A ~~food product and~~ packaging material for packaging a plurality of

different types of that packages the food products in an assembly of food products, the packaging material displaying the caloric nutritional content of each of a the different types of food products as per a pre-determined approximate number of calories, wherein the pre-determined number of calories is 50 or a multiple thereof or Centicals.

57. (Currently Amended) The packaging material ~~A plurality of different food products of the food product~~ of claim 56, each of the plurality of different types of food products having the same said pre-determined approximate number of calories or Centicals.

58. (Currently Amended) The packaging material ~~composition~~ of claim 56, wherein the packaging material further displays nutritional content of each of the different types of food product per the predetermined number of calories for each of the different types of food products wherein said number is substantially uniform number with the number reported for one or more other food products.

59. (Currently Amended) The packaging material ~~composition~~ of claim 56, wherein the predetermined said substantially uniform number is 50 or 100.

60. (Currently Amended) The packaging material ~~composition~~ of claim 56, wherein the number of calories per serving of the food products is not displayed.

61. (Currently Amended) The packaging material ~~composition~~ of claim 56, wherein each food product comprises plural servings and the pre-determined approximate number of calories

~~or Centicals~~ is greater ~~different~~ than the ~~approximate~~ number of calories ~~or Centicals~~ per serving.

62. (Currently Amended) The packaging material composition ~~composition~~ of claim 56, wherein the pre-determined ~~approximate~~ number of calories ~~or Centicals~~ of each of the food products is 50% or more greater than the ~~approximate~~ number of calories ~~or Centicals~~ per serving.

63. (Currently Amended) The packaging material composition ~~composition~~ of claim 56, wherein the nutritional content of each of the food products being reported comprises the weight, price, fat (saturated, and unsaturated), protein, carbohydrate, vitamin and mineral content of the product.

64. (Currently Amended) The packaging material composition ~~composition~~ of claim 56, wherein the pre-determined ~~approximate~~ number of calories is selected from the group consisting of 50, 100, 150, 200, 250, 300, 350, 400, 450, 500, 600, 750 and 1000.

65. (New) The device of claim 1, wherein the user input comprises the predetermined number of calories.

66. (New) An apparatus configured to:

(a) weigh food and determine a number of calories associated with a particular weight and particular type of food;

(b) provide other nutritional information based on the number of calories and the particular type of food; and

(c) determine a price for weighed food.

67. (New) The apparatus according to claim 66, wherein the apparatus is configured to be provided at a point-of-sale terminal.

68. (New) The apparatus according to claim 66, wherein the number of calories and/or the other nutritional information are presented to a user via a display.

69. (New) The apparatus according to claim 66, wherein the number of calories is determined based on a plurality of predefined associations for the type of food relating a plurality of weights to a plurality of calories.

70. (New) The apparatus according to claim 69, wherein the plurality of associations is stored in a memory of the apparatus or retrieved from an external storage.

71. (New) The apparatus according to claim 70, wherein the plurality of associations retrieved from an external storage location is associated with an enterprise resource planning (ERP) software.

72. (New) The apparatus according to claim 70, wherein the plurality of associations is stored in a weight-calorie conversion table.

73. (New) The apparatus according to claim 66, wherein the number of calories and/or the other nutritional information is presented to a user via a printing device.

74. (New) The apparatus according to claim 66, wherein the other nutritional information includes fat content, saturated fat content, trans fat content, protein content, carbohydrate content, vitamin content, and/or mineral content.

75. (New) The apparatus according to claim 66, wherein the apparatus is configured to aggregate a plurality of determined numbers of calories, including the number of calories associated with a plurality of types of food.

76. (New) The apparatus according to claim 66, wherein the apparatus is integrated with or communicatively coupled to another device.

77. (New) The apparatus according to claim 66, wherein the apparatus comprises one or more of a wrapping machine, size reduction machine, label printer, or cash register.

78. (New) The apparatus according to claim 75, wherein the apparatus is further configured to provide aggregated other nutritional information, including the other nutritional information, associated with the plurality of types of food, and to determine an aggregated price for a plurality of weighed foods, including the weighed food.

79. (New) The apparatus according to claim 66, wherein the determined number of calories is about 50 calories or a multiple thereof.

80. (New) The apparatus according to claim 66, wherein the determined number of calories is about 100 calories or a multiple thereof.

81. (New) The apparatus according to claim 66, wherein the apparatus provides the other nutritional information in relation to a pre-determined number of calories of the particular type of food.

82. (New) The apparatus according to claim 81, wherein the price is determined in relation to the pre-determined number of calories and a unit price for the pre-determined number of calories is provided.

83. (New) The apparatus according to claim 81, wherein a unit weight for the pre-determined number of calories is provided.

84. (New) The apparatus according to claim 81, wherein the pre-determined number of calories is 100.

85. (New) The package of claim 33, wherein the approximate number of calories of any one of the multiple of servings is 50 or 100.

86. (New) The package of claim 33, wherein the approximate total number of calories of the multiple of servings is a multiple of 50 or 100.

87. (New) The package of claim 33, wherein the indications are provided on the front of the package.

88. (New) The plurality of packages of claim 40, wherein the plurality of packages are within an arrangement of packages.

89. (New) The plurality of packages of claim 88, wherein the arrangement comprises a container.

90. (New) The plurality of packages of claim 88, wherein the arrangement comprises a display.

91. (New) The plurality of packages of claim 40, wherein each package of food has an indication thereon of a uniform caloric content of 100 calories or multiples thereof.

92. (New) The plurality of packages of claim 40, wherein the indications are provided on the front of the package.

93. (New) The method of claim 49, wherein the pre-determined number of calories is 100 or a multiple thereof.

94. (New) An apparatus comprising:

a scale configured to weigh food; and

a processor configured to dynamically determine caloric content and at least one other piece of nutritional information for a particular quantity of food being weighed by the scale,

wherein the nutritional information, along with a price for the particular quantity of food, is output to a display for presentation in accordance with a pre-determined number of calories.